REMARKS

Applicant appreciates the thorough review and indication by Examiner that claims 5, 6, and 13 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim.

The Examiner objected to the drawings because reference characters "17" and "21" were both used to designate "a first string of casing" in paragraph **[0015]**. Applicant amended paragraph **[0015]** so that 17 correctly identifies "a first string of casing" and 21 identifies a different string of "casing," which is in accordance with the manner in which the specification describes the relationship of assembly. The error pertaining to characters "17" and "21" was a typographical or clerical error within the specification, which has been corrected with Applicant's amendment in such a manner that should alleviate the Examiner's objection. The Examiner also objected to the drawings because reference number 25 appeared to be referencing an incorrect element in Figure 3. Applicant submits a replacement sheet having a new Figure 3 that designates the tubing hanger 25 referenced in specification paragraph **[0016]** and previously illustrated in Figure 1. Applicant believes the replacement drawing should alleviate Examiner's objection. Accordingly, Applicant believes that there are no longer outstanding issues for objection with the drawings, and Applicant respectfully requests reconsideration of the Examiner's objections to the drawings.

With respect to the claims, Applicant amended claims 16 and 18 in a manner consistent with the Examiner's suggestions in order to overcome the Examiner's informality objections.

The Raulins Patent

The Examiner rejected claims 1-7, and 7 under the provisions of 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 3,087,547 to Raulins et al. (hereinafter "Raulins" or "the Raulins patent"). Applicant respectfully requests reconsideration of the Examiner's rejections because

Applicant respectfully submits that Raulins does not teach or disclose every element of the rejected claims. Claim 1 includes the element of "a tubing hanger, having a string of tubing extending to a production depth within the subsea well, that lands in a bore of the wellhead member and has an inner bore in fluid communication with the string of tubing." Claim 1 further includes the claim element of "at least one hanger port extending through a side of the tubing hanger for transmitting the production fluid from the bore of the tubing hanger to the production port." Applicant respectfully submits that the Raulins patent fails to disclose each of the above claim elements.

Raulins discloses a series of tubular casings 120, 120b, and 120c landed within a wellhead 20, each of which being suspended from a hanger or mandrel 72, 72b, and 72c. *See* the Raulins patent (Col. 6: ll. 54-63, Col. 7: ln. 65 - Col. 8: ln. 14, Figures 5 and 2). Each of the interiors of tubular casings 120, 120b, and 120c are also in fluid communication with lateral conduits 26, 27, and 28. The mandrels 72b and 72c support intermediate and inner casings 120b and 120c, but these are not production tubing or strings of tubing extending to a production depth within the subsea well. See the Raulins patent (Col. 7: ln. 65 - Col. 8: ln. 14, Figures 5). The only tubing that extends to production depth in Raulins is inner tubing 120d, which is suspended from mandrel 170. There are no lateral conduits or ports extending through a side of the mandrel 170 for transmitting the production fluid from the bore of the tubing hanger to the production port of Raulins wellhead 20. Production fluid simply flows upwardly through inner tubing 120d to be collected above wellhead 20.

In order to anticipate Claim 1, the cited art must disclose each and every limitation, by a preponderance of the evidence, in order to reject a claim under the provisions of 35 U.S.C. § 102. *See* MPEP 706.02. Claim 1 requires both "a tubing hanger, having a string of tubing extending

to a production depth within the subsea well, that lands in a bore of the wellhead member and has an inner bore in fluid communication with the string of tubing" and "at least one hanger port extending through a side of the tubing hanger for transmitting the production fluid from the bore of the tubing hanger to the production port (extending through the wellhead member)." The Raulins patent does not teach these elements. There is no port extending through mandrel 170, or even inner tubing 120d, for transmitting production fluid from the inner tubing 120d and mandrel 170 to a production port extending through a side of the Raulins wellhead 20. Rather, nothing is in fluid communication with the interior of inner tubing 120d until tubing 120d extends above wellhead 20. Accordingly, Applicant respectfully submits that the Raulins patent does not anticipate claim 1 because it fails to teach each and ever claim limitation. Claims 2-4, and 7 depend from claim 1. Therefore, Applicant respectfully submits that claims 1-4 and 7 are in condition for allowance and respectfully requests that the Examiner remove the rejection based upon the Raulins patent.

The Wong Patent

The Examiner rejected claims 8-12 and 14-21 under the provisions of 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 3,087,547 to Wong et al. (hereinafter "Wong" or "the Wong patent"). Applicant respectfully requests reconsideration of the Examiner's rejections because Applicant respectfully submits that Wong does not teach or disclose every element of the rejected claims. Claims 9-12 and 14-16 depend either directly or indirectly from independent claim 8, claim 18 depends from claim 17, and claims 20-21 depend from method claim 19. Therefore, most of the following discussion will focus on independent claims 8, 17, and 19. Nothing should be construed as a waiver of any patentability arguments with respect to dependent claims 9-12, 14-16, 18, and 20-21.

Claim 8 includes the element of "a tubing hanger, having a string of tubing extending to a production depth within the subsea well, that lands in a bore of the wellhead member and has an inner bore in fluid communication with the string of tubing." Claim 17 includes the element of "a string of production tubing that hangs from the tubing hanger so that an interior of the tubing hanger is in fluid communication with a bore of the tubing hanger, the string of production tubing being adapted to extend to a production depth within the subsea well when the tubing hanger lands in the wellhead housing." Applicant respectfully submits that the Wong patent does not teach a tubing hanger with a hanger port extending through its side with string of tubing extending therefrom to a production depth within the subsea well.

The Wong patent teaches an apparatus, which is a wellhead isolation tool ("WIT") 10 that connects to an upper portion of a wellhead assembly 12. *See* the Wong patent (Col. 2: ln. 47-67, and Figure 3). The wellhead assembly 12 includes a wellhead 14 with a tubing hanger 18 suspended in a central bore 16 of wellhead 14. *See id.* A string of production tubing 20 extends into the well from tubing hanger 18. A pair of valve assemblies 22, 26 with respective gates 30, 32 are connected to the top of wellhead 14 "to control the flow of fluid through the production tubing 20." *See id.* WIT 10 is connected to the upper end of wellhead assembly 12, above valve assemblies 22, 26. *See id.*

WIT 10 includes a sleeve 44 located above wellhead assembly 12 and a tubular mandrel 38 that extends downward from sleeve 44 into wellhead assembly 12. *See* the Wong patent (Col. 3: ln. 1-9, 38-67, and Figures 3 and 4). Mandrel 38 is lowered through gates 30, 32 of valve assemblies 22, 26 and tubing hanger 18. *See* the Wong patent (Col. 3: ln. 38-42, and Figure 3). Mandrel 38 is only lowered to a depth within an upper portion of production tubing 20 to which mandrel 38 then sealed with an interior surface of the upper portion of production tubing 20. *See*

the Wong patent (Col. 3: ln. 38-42, and Figure 3). With mandrel 38 lowered through gates 30, 32, valves 22, 26 cannot be actuated to control fluid flow.

In order to anticipate Claims 8 and 17, the Wong patent must disclose each and every limitation, by a preponderance of the evidence, in order to reject a claim under the provisions of 35 U.S.C. § 102. *See* MPEP 706.02. Claims 8 and 17 both require a tubing hanger with a hanger port extending through its side, and a string of tubing that extends from the tubing hanger to a production depth in the subsea well. Wong's tubing hanger 18 does not satisfy Applicant's claim elements because there is not a hanger port extending through a side of tubing hanger 18. Wong's sleeve 44 with port 114 is the only apparatus that arguably acts as a hanger with a port extending through its side. However, Wong's production tubing 20 does not hang from sleeve 44. Rather, mandrel 38 extends from sleeve 44 and mandrel 38 does not extend to a production depth in the well. Mandrel 38 only extends down to an upper portion of production tubing 20. Accordingly, Wong's assembly does not teach or disclose each and every claim element in Applicant's claims 8, 17, and their respective dependent claims. Therefore, Applicant respectfully submits that claims 8-12 and 14-18 are in condition for allowance and respectfully requests that the Examiner remove the rejection based upon the Wong patent.

Independent method claim 19 is for a method of conveying production fluid from a subsea well. Each and every step pertains to the method of removing production fluid from the subsea well. The Wong patent, on the other hand, discloses a device and method for injecting stimulation fluid into the production string of tubing in order to stimulate the well. Wong does not disclose using its assembly during production operations. Such a use of Wong's WIT 10 would not be obvious to one skilled in the art, nor would it be desirous because Wong's mandrel 38 prevents the operator from controlling fluid flow with valve assemblies 22, 26 when mandrel

is lowered through gates 30, 32. Applicant respectfully submits that Wong does not teach each of the claimed method elements in Applicant's claim 19 and dependent claims 20-21, and those skilled in the art would not perceive using Wong's apparatus in the manner claimed because it would remove the ability to control fluid production by physically blocking the actuation capabilities of the production control valves 22, 26. Therefore, Applicant respectfully submits that claims 19-21 are in condition for allowance and respectfully requests that the Examiner remove the rejection based upon the Wong patent.

CONCLUSION

Applicant respectfully submits that remaining claims 1-21 are all in condition for allowance. Reconsideration of the application and allowance of all claims are respectfully requested, and Applicant respectfully requests the issuance of a Notice of Allowance.

Respectfully submitted,

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